

Appl. No. : 10/796,609
Filed : March 9, 2004

REMARKS

Applicant respectfully requests reconsideration and allowance of the present application in view of the amendments set forth above and the remarks set forth below.

Amendments to the Specification

Applicant is requesting entry of amendments to the specification that add filing date information to the incorporated-by-reference applications set forth in paragraph 0027. Applicant also has corrected a minor typographical error in paragraph 0029. No new matter is added by these amendments and entry of the amendments is respectfully requested.

Information Disclosure Statement

Applicant notes the Examiner's comment regarding the prior art discussed in the background section of the present application. Applicant has confirmed that the reference identified in the background section of the present application was cited in the Information Disclosure Statement entered on April 3, 2006. The Examiner has initialed the reference.

Claims 1 and 5-8 Are Definite

Claims 1 and 5-8 have been rejected as indefinite. In particular, the Examiner states that Claim 1 is unclear and requests that the language be clarified to specify the location of the attachment of the plurality of frame portions. While Applicant respectfully disagrees with the stated grounds for the rejection, Applicant has amended Claim 1 to clarify further the location of the attachment. In particular, the claim recites, among other limitations, that the frame includes at least first, second and third frame portions which extend adjacent to the prime mover, that the first and second frame portions are disposed generally to the lateral sides of the prime mover with the third frame portion extending generally between the first and second frame portions, and that the detachably affixed frame portion is detachably coupled to at least one of the first, second and third frame portions. Applicant respectfully submits that this amendment resolves the concern raised by the Examiner and requests that the rejection be withdrawn.

Claims 1 and 5-8 Are Not Anticipated by Eastman

Claims 1 and 5-8 have been rejected as anticipated by Eastman (U.S. Patent No. 5,401,056). Applicant respectfully disagrees and requests the Examiner to reconsider the rejection.

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Claim 1 recites, among other limitations, a detachably affixed frame portion that is detachably affixed to at least one of a first, second and third frame portions that extend adjacent to a prime mover such that the detachably affixed frame portion can be detached from the frame while these other frame portions remain supported by the at least one front wheel.

Eastman disclosed a construction in which a chassis was divided into a front module, a middle module and a rear module. The three modules were detachably connected to define the full chassis. The engine was positioned in the rear module. The rear module had frame portions that surrounded the engine. When the rear module was detached from the middle module, the portions of the frame that extend adjacent to the engine were no longer supported by the front wheel.

Thus, Claim 1 is not anticipated by Eastman. Reconsideration and allowance of Claim 1 are respectfully requested.

Claims 5-8 depend from Claim 1 and are not anticipated by Eastman for at least the same reasons that Claim 1 is not anticipated by Eastman. In addition, at least some of these claims recite other limitations that are not disclosed by Eastman. For example, Claim 6 recites that the engine has a portion extending generally upward and that the detachably affixed frame portion is disposed adjacent to the generally upwardly extending portion of the engine. In addition, Claim 7 recites that the engine has a cylinder head and that the detachably affixed frame portion is disposed adjacent to the cylinder head. Furthermore, Claim 8 recites that the frame portions are formed with a tubular member or a generally U-shaped member. For at least these reasons, Claims 5-8 are not anticipated and reconsideration and allowance of Claims 5-8 are respectfully requested.

New Claims 25 and 26 have been added to further define the structure of the recited vehicle frame. Application submits that these claims also are not anticipated and consideration and allowance of Claims 25 and 26 are respectfully requested.

CONCLUSION

For the reasons described above, Applicants respectfully request the Examiner to withdraw the rejection of the claims and to pass Claims 1 and 5-26 to allowance. Any remarks in support of patentability of one claim, however, should not be imputed to any other claim, even if similar terminology is used. Additionally, any remarks referring to only a portion of a claim

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should not be understood to base patentability on that portion; rather, patentability must rest on each claim taken as a whole. Applicants respectfully traverse each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches, even if not expressly discussed herein. Although amendments have been made, no acquiescence or estoppel is or should be implied thereby. Rather, the amendments are made only to expedite prosecution of the present application, and without prejudice to presentation or assertion, in the future, of claims on the subject matter affected thereby.

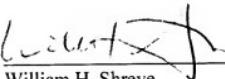
The undersigned has made a good faith effort to respond to all of the rejections and objections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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